



MARCUS NEIMAN RASHBAUM & PINEIRO LLP

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December 22, 2022

Via CM/ECF

The Honorable Victor Marrero
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St., Courtroom 15B
New York, NY 10007-1312

RE: *Ridinger, et al. v. Stone, et al.*, Case No. 2022-CV-09082-VM

Dear Judge Marrero,

We represent Plaintiffs in the above-referenced matter. On October 24, 2022, Plaintiffs filed a three-count Complaint against Defendants, asserting claims for legal malpractice (Count I), breach of fiduciary duties (Count II), and vicarious liability (Count III). Between November 18, 2022 and December 6, 2022, the Parties engaged in the informal procedure set forth in Rule II(B) of Your Honor's Individual Practices. Specifically, in Defendants' letter dated November 18, 2022 [D.E. 15], Defendants set forth the grounds on which they claim dismissal of the Complaint is warranted, and in Plaintiffs' response letter dated December 2, 2022 [D.E. 18], Plaintiffs explained why Defendants' arguments are wrong and/or why any claimed deficiencies will be cured by the Amended Complaint that Plaintiffs intend to file. Defendants then replied by letter dated December 6, 2022 [D.E. 19], reiterating their position that dismissal of the Complaint would remain warranted even after Plaintiffs make their contemplated amendments.

Given that the Parties' exchange of letters did not resolve the dispute, as Defendants continue to maintain that dismissal will be warranted and urged Plaintiffs to withdraw the matter, Plaintiffs understand that pursuant to Rule II(B)(2), the Court "will schedule a conference . . . to provide any appropriate preliminary guidance or rulings." As such, Plaintiffs request leave to file an Amended Complaint within twenty-one (21) days from the conference contemplated by Rule II(B)(2) or, in the event the Court does not intend to schedule this

MIAMI OFFICE

One Biscayne Tower
2 South Biscayne Boulevard, Suite 2530, Miami 33131
P • 305-400-4260 | F • 866-780-8355

FORT LAUDERDALE OFFICE

One Financial Plaza
100 Southeast Third Avenue, Suite 805, Ft Lauderdale 33394
P • 954-462-1200 | F • 866-780-8355

conference, that the Court set a deadline of January 20, 2023 for Plaintiffs to file an Amended Complaint.

Respectfully submitted,



Jeffrey A. Neiman

MIAMI OFFICE

One Biscayne Tower
2 South Biscayne Boulevard, Suite 1750, Miami 33131
P • 305-400-4260 | F • 866-780-8355

FORT LAUDERDALE OFFICE

One Financial Plaza
100 Southeast Third Avenue, Suite 805, Ft Lauderdale 33394
P • 954-462-1200 | F • 866-780-8355